

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

TOTAL RX CARE, LLC,	§	
	§	
Plaintiff,	§	
	§	
v.	§	
	§	CIVIL ACTION NO. 3:16-CV-2965-B
GREAT NORTHERN INSURANCE	§	
COMPANY,	§	
	§	
Defendant.	§	

MEMORANDUM OPINION AND ORDER

Before the Court is the Magistrate Judge’s Memorandum Opinion and Order granting in part and denying in part Plaintiff Total Rx Care, LLC’s Motion to Stay Pending Resolution of Active Criminal Proceeding. Doc. 105. Great Northern Insurance Company (“Great Northern”) has filed objections to the order, arguing, among other things, that it implements a one-sided stay, it implements an indefinite stay, that the Magistrate Judge erred it considering the “Private Interests” of Total Rx, and that the six-factor balancing test does not support Total Rx sufficiently to overcome the “Strong Presumption in Favor of Discovery.” Docs. 108 & 167. Total Rx Care, LLC (“Total Rx”) has responded to Great Northern’s objections. Docs. 112 & 170. The objections are ripe for review.

Federal Rule of Civil Procedure 72(a) permits a district judge to set aside or modify a non-dispositive pretrial order issued by a magistrate judge if the order is clearly erroneous or contrary to law. Fed. R. Civ. P. 72(a). That means the district judge reviews the magistrate judge’s factual findings for clear error and legal conclusions de novo. *Moore v. Ford Motor Co.*, 755 F.3d 802, 806 (5th Cir. 2014).

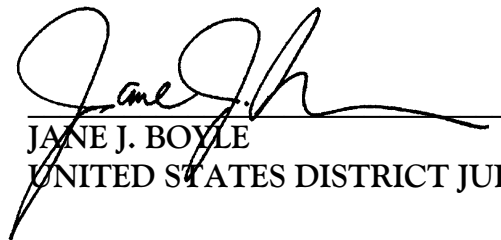
Here, the Court has reviewed the thorough and lengthy opinion of the Magistrate Judge and

finds no clear error in the factual findings and, on de novo review, no error in the legal conclusions. Accordingly, the objections by Great Northern to the Magistrate Judge's Memorandum Opinion and Order granting in part and denying in part Plaintiff Total Rx Care, LLC's Motion to Stay Pending Resolution of Active Criminal Proceeding are **OVERRULED**.

Now that the Court has ruled on Great Northern's objections, Total Rx has **THIRTY (30) DAYS** from the date of this Order to file a response to Great Northern's Motion to Compel (Doc. 92). Great Northern will then have **FIVE (5) DAYS** to file a reply.

**SO ORDERED.**

**SIGNED:** January 25, 2019.



JANE J. BOYLE  
UNITED STATES DISTRICT JUDGE